

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Case No.: 15MJ2060-BGS

Plaintiff,

FINDINGS OF FACT AND ORDER OF  
DETENTION PENDING TRIAL

JOHNNY MIKE GOMEZ

Defendant.

In accordance with the Bail Reform Act of 1984, Title 18, United States Code, Section 3142(f), a detention hearing was scheduled and held on October 1, 2015, to determine whether Defendant JOHNNY MIKE GOMEZ ("the Defendant") should be held in custody pending trial and, if convicted, sentencing in the above-captioned matter. Assistant United States Attorney Michael G. Wheat appeared on behalf of the United States; Attorney Kasha K. Castillo Edwards appeared on behalf of the Defendant.

1 At the hearing, Defendant knowingly and voluntarily  
2 waived his right, on the record through counsel, to the  
3 setting of bail and a detention hearing. Based on the  
4 waiver, the Court orders that Defendant be detained pending  
5 trial, and, if convicted, sentencing in these matters,  
6 without prejudice or waiver of the Defendant's right to  
7 later apply for bail and conditions of release, and without  
8 prejudice or a waiver of the right of the United States to  
9 seek detention in the event of an application by Defendant  
10 for such relief.

## ORDER

12 IT IS HEREBY ORDERED that the Defendant be detained  
13 pending trial, and if convicted, sentencing in these matters

14 IT IS FURTHER ORDERED that Defendant be committed to the  
15 custody of the United States Marshal or his designated  
16 representative for confinement in a corrections facility  
17 separate, to the extent practicable, from persons awaiting  
18 or serving sentence or being held in custody pending appeal.  
19 The Defendant shall be afforded reasonable opportunity for  
20 private consultation with counsel.

21       While in custody, upon order of a court of the United  
22 States or upon the request of an attorney for the United  
23 States, the person in charge of the correctional facility  
24 shall deliver the Defendant to the United States Marshal for  
25 the purpose of an appearance in connection with a court  
26 proceeding or any other appearance stipulated to by defense  
27 and counsel for the United states.

1 This order is made without prejudice to modification by  
2 this Court and without prejudice to the Defendant's  
3 exercise of his right to bail and a detention hearing at a  
4 future date.

5 IT IS SO ORDERED.

6 DATED: October 1, 2015.

10 | Prepared by:

12 LAURA E. DUFFY  
United States Attorney

13 Michael G. Wheat

14 MICHAEL G. WHEAT  
15 Assistant U.S. Attorney

bernard  
BERNARD G. SKOMAL  
United States Magistrate Judge